

08/31/01  
31054 U.S. PTO

Docket No.: 000166.0112-US00  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael E. Rickey, et al.

Application No.: Not Yet Assigned

Group Art Unit: N/A

Filed: August 31, 2001

Examiner: Not Yet Assigned

For: RESIDUAL SOLVENT EXTRACTION  
METHOD AND MICROPARTICLES  
PRODUCED THEREBY

JC973 U.S. PTO  
09/942631  
08/31/01

**TRANSMITTAL LETTER**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced  
Patent Application:

1. Application Data Sheet;
2. Utility Patent Application Transmittal;
3. Fee Transmittal;
4. Utility Application comprising: 30 pages of description; nine pages of claims (87 claims); one page abstract; and three sheets of drawings;
5. Declaration for Utility Patent Application;
6. Power of Attorney from Assignee;
7. Statement under 37 CFR 3.73(b) with a copy of the Assignment;
8. Recordation Cover Sheet;

U.S. PATENT AND TRADEMARK OFFICE

9. Assignment to Alkermes Controlled Therapeutics Inc. II;
10. Information Disclosure Statement;
11. Form PTO/SB/08A and 58 cited documents;
12. Check No. 284827 for \$2,516 to cover: \$710 basic filing fee; \$1766 additional claims fee; and \$40 assignment recordation fee; and
13. Two return receipt postcards.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-0740, under Docket No. 000166.0112-US00. A duplicate copy of this paper is enclosed.

Dated: August 31, 2001

Respectfully submitted,

By   
Andrea G. Reister

Registration No.: 36,253  
COVINGTON & BURLING  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
(202) 662-6000

Please type a plus sign (+) inside this box 

PTO/SB/05 (03-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>		<b>Attorney Docket No.</b> 000166.0112-US00	
		<b>First Inventor</b> Michael E. Rickey	
		<b>Title</b> RESIDUAL SOLVENT EXTRACTION, etc.	
		<b>Express Mail Label No.</b>	

<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents.</small> 1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form (e.g., PTO/SB/17)</b> <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input type="checkbox"/> <b>Applicant claims small entity status.</b> <small>See 37 CFR 1.27.</small> 3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <b>40</b> ] <small>(preferred arrangement set forth below)</small> <ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul> 4. <input checked="" type="checkbox"/> <b>Drawing(s) (35 U.S.C. 113)</b> [Total Sheets <b>3</b> ] 5. <b>Oath or Declaration</b> [Total Pages <b>1</b> ] a. <input checked="" type="checkbox"/> <b>Newly executed (original or copy)</b> b. <input type="checkbox"/> <b>Copy from a prior application (37 CFR 1.63(d))</b> <small>(for continuation/divisional with Box 18 completed)</small> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small> 6. <input checked="" type="checkbox"/> <b>Application Data Sheet. See 37 CFR 1.76</b>	<b>ADDRESS TO:</b> Box Patent Application Commissioner for Patents Washington, DC 20231 7. <input type="checkbox"/> <b>CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</b> 8. <b>Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</b> a. <input type="checkbox"/> <b>Computer Readable Form (CRF)</b> b. <b>Specification Sequence Listing on:</b> i. <input type="checkbox"/> <b>CD-ROM or CD-R (2 copies); or</b> ii. <input type="checkbox"/> <b>paper</b> c. <input type="checkbox"/> <b>Statements verifying identity of above copies</b>
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<b>ACCOMPANYING APPLICATIONS PARTS</b>	
9. <input checked="" type="checkbox"/> <b>Assignment Papers (cover sheet &amp; document(s))</b> 10. <input checked="" type="checkbox"/> <b>37 CFR 3.73(b) Statement (when there is an assignee)</b> 11. <input type="checkbox"/> <b>English Translation Document (if applicable)</b> 12. <input checked="" type="checkbox"/> <b>Information Disclosure Statement (IDS)/PTO-1449</b> 13. <input type="checkbox"/> <b>Preliminary Amendment</b> 14. <input checked="" type="checkbox"/> <b>Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</b> 15. <input type="checkbox"/> <b>Certified Copy of Priority Document(s) (if foreign priority is claimed)</b> 16. <input type="checkbox"/> <b>Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</b> 17. <input type="checkbox"/> <b>Other:</b>	<input checked="" type="checkbox"/> <b>Power of Attorney</b> <input checked="" type="checkbox"/> <b>Copies of IDS Citations</b>

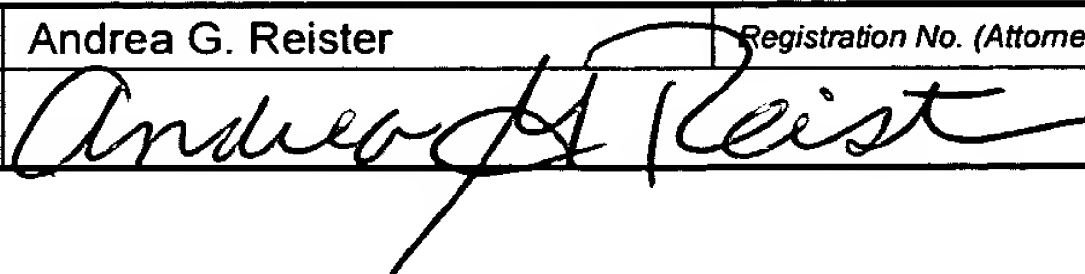
  

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  
☐ Continuation    ☐ Divisional    ☐ Continuation-in-part (CIP)    of prior application No.: \_\_\_\_\_  
**Prior application information:** Examiner \_\_\_\_\_ Group / Art Unit: \_\_\_\_\_  
**For CONTINUATION or DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

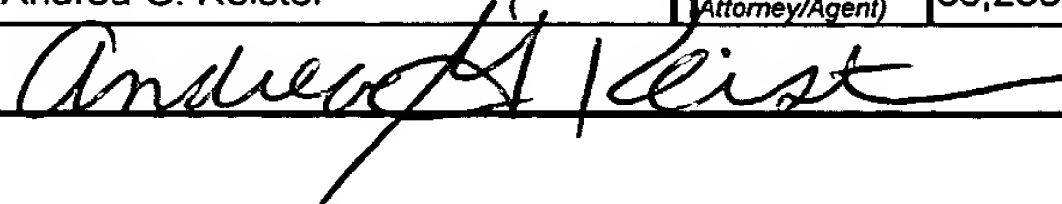
  

<b>19. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> <b>Customer Number or Bar Code Label</b>		26853		or <input type="checkbox"/> <b>Correspondence address below</b>	
<b>Name</b> Covington & Burling					
<b>Address</b> 1201 Pennsylvania Avenue, NW					
<b>City</b> Washington		<b>State</b> D.C.		<b>Zip Code</b> 20004-2401	
<b>Country</b> USA		<b>Telephone</b> 202.662.6000		<b>Fax</b> 202.662.6291	

<b>Name (Print/Type)</b> Andrea G. Reister		<b>Registration No. (Attorney/Agent)</b> 36,253	
<b>Signature</b> 		<b>Date</b> August 31, 2001	

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FEE TRANSMITTAL for FY 2001 <small>Patent fees are subject to annual revision.</small>		Complete if Known		
TOTAL AMOUNT OF PAYMENT (\$)		2,516.00	Application Number	Not Yet Assigned
			Filing Date	August 31, 2001
			First Named Inventor	Michael E. Rickey
			Examiner Name	Not Yet Assigned
			Group Art Unit	N/A
			Attorney Docket No.	000166.0112-US00
METHOD OF PAYMENT		FEE CALCULATION (continued)		
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number: 50-0740 Deposit Account Name: <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES		
2. <input checked="" type="checkbox"/> Payment Enclosed <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		Large Entity Fee Code Fee (\$)		
FEE CALCULATION		Small Entity Fee Code Fee (\$)		
1. BASIC FILING FEE		Fee Description Fee Paid		
Large Entity Fee Code Fee (\$)		Fee Description Fee Paid		
Small Entity Fee Code Fee (\$)		Fee Description Fee Paid		
101 710 201 355 Utility filing fee 710.00		105 130 205 65 Surcharge - late filing fee or oath		
106 320 206 160 Design filing fee		127 50 227 25 Surcharge - late provisional filing fee or cover sheet.		
107 490 207 245 Plant filing fee		139 130 139 130 Non-English specification		
108 710 208 355 Reissue filing fee		147 2,520 147 2,520 For filing a request for ex parte reexamination		
114 150 214 75 Provisional filing fee		112 920* 112 920* Requesting publication of SIR prior to Examiner action		
SUBTOTAL (1) (\$) 710.00		113 1,840* 113 1,840* Requesting publication of SIR after Examiner action		
2. EXTRA CLAIM FEES		115 110 215 55 Extension for reply within first month		
Total Claims 87 -20** = 67 X 18.00 = 1,206.00		116 390 216 195 Extension for reply within second month		
Independent Claims 10 -3** = 7 X 80.00 = 560.00		117 890 217 445 Extension for reply within third month		
Multiple Dependent		118 1,390 218 695 Extension for reply within fourth month		
Large Entity Fee Code Fee (\$)		128 1,890 228 945 Extension for reply within fifth month		
Small Entity Fee Code Fee (\$)		119 310 219 155 Notice of Appeal		
103 18 203 9 Claims in excess of 20		120 310 220 155 Filing a brief in support of an appeal		
102 80 202 40 Independent claims in excess of 3		121 270 221 135 Request for oral hearing		
104 270 204 135 Multiple dependent claim, if not paid		138 1,510 138 1,510 Petition to institute a public use proceeding		
109 80 209 40 ** Reissue independent claims over original patent		140 110 240 55 Petition to revive - unavoidable		
110 18 210 9 ** Reissue claims in excess of 20 and over original patent		141 1,240 241 620 Petition to revive - unintentional		
SUBTOTAL (2) (\$) 1,766.00		142 1,240 242 620 Utility issue fee (or reissue)		
**or number previously paid, if greater, For Reissues, see above		143 440 243 220 Design issue fee		
		144 600 244 300 Plant issue fee		
		122 130 122 130 Petitions to the Commissioner		
		123 50 123 50 Processing fee under 37 CFR 1.17(q)		
		126 180 126 180 Submission of Information Disclosure Stmt		
		581 40 581 40 Recording each patent assignment per property (times number of properties) 40.00		
		146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a))		
		149 710 249 355 For each additional invention to be examined (37CFR 1.129(b))		
		179 710 279 355 Request for Continued Examination (RCE)		
		169 900 169 900 Request for expedited examination of a design application		
		Other fee (specify)		
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 40.00		
SUBMITTED BY		Complete (if applicable)		
Name (print/type) Andrea G. Reister		Registration No. 36,253		
Signature 		Telephone (202) 662-6000		
		Date August 31, 2001		

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Michael E. Rickey, et al.

Application No./Patent No.: To Be Assigned

Filed/Issue Date: Herewith

Entitled: RESIDUAL SOLVENT EXTRACTION METHOD AND MICROPARTICLES PRODUCED THEREBY

Alkermes Controlled Therapeutics Inc. II  
(Name of Assignee)

, a Corporation  
Type of Assignee, e.g., corporation, partnership, university, government agency, etc.

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Aug 16, 01  
Date

James M. Frates  
Typed or printed name

[Signature]  
Signature

Vice President  
Title